

Fisher, Paul

From: Lloyd Pollard [lloyd@ganzlaw.com]
Sent: Tuesday, August 16, 2011 11:35 AM
To: Lloyd Pollard; Fisher, Paul; Mooneyham, Janice; Coggins, Wynn
Cc: Tracie Brooks Semenchalam; Bradley M. Ganz
Subject: RE: Agenda for Examiner Interview (U.S. Application No. 09/881,353; Our ref: BIZ/01-0003)

Examiner Fisher:

Although I disagree with the notion that any of my client's pending claims is allegedly unpatentable, this morning's interview would have held the hope of being productive if the reference being relied on by Examiner "Jerry" was given to me for review in advance of the interview. Sabotaging a scheduled interview by raising new grounds for rejection and not sharing the reference on which the new rejections are based is counterproductive and unprofessional, particularly after your and Examiner Mooneyham's favorable views expressed during the year since the July 28, 2010, interview.

As you know, this case has been pending for a decade and an Office Action has yet to issue from the Amendment and RCE filed on August 30, 2010. The unreasonable delay caused by piecemeal and inefficient examination prejudices my client and wastes its resources, as well as those of the Office.

Since the date of a next Office Action could be months into the future, I respectfully request that you send to me a copy of the reference relied upon by Examiner Jerry during this morning's interview and schedule a follow up interview later this week, at least 24 hours after the reference is sent to me. After having an opportunity to review the new reference, I will provide an agenda for the interview, similar to the one I sent last night.

Hopefully, using this approach, you, Examiner Jerry and I can work together to advance this matter, or at least to crystalize the issues in preparation for an appeal.

My schedule is generally open during the afternoon on Wednesday, and all day Thursday and Friday of this week. Please let me know a time when you and Examiner Jerry are available, preferably this week.

Sincerely,
Lloyd

Lloyd L. Pollard II
Attorney

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8/19/2011

From: Lloyd Pollard
Sent: Monday, August 15, 2011 4:27 PM
To: paul.fisher@uspto.gov
Cc: Tracie Brooks Semenchalam; Bradley M. Ganz
Subject: Agenda for Examiner Interview (U.S. Application No. 09/881,353; Our ref: BIZ/01-0003)

Hi, Paul.

Attached is a proposed agenda for tomorrow's interview.

Best regards,
Lloyd

Lloyd L. Pollard II
Attorney

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